REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 5, 8, 9, 13, 16, 17, 21, 24, 25, 29, and 32-44 are pending in this application.
Claims 5, 8, 13, 16, 21, 24, 29, and 32 were rejected under 35 U.S.C. §112, second
paragraph. Claims 1, 5, 8, 9, 13, 16, 17, 21, 24, 25, 29, and 32 were rejected under 35 U.S.C.
§103(a) as unpatentable over U.S. patent 6,202,199 to Wygodny et al.(herein "Wygodny") in
view of U.S. patent 5,414,494 to Aikens et al. (herein "Aikens").

Addressing first the rejection of Claims 5, 8, 13, 16, 21, 24, 29, and 32 under 35
U.S.C. §112, second paragraph, that rejection is traversed by the present response.

The outstanding rejection indicates it is not clear what is meant by the phrase "exits
operating the image forming device" for example in claim 5. Applicants submit that
language would be clearly understood to one of ordinary skill in the art. Specifically, the
claim language in question merely indicates the log of monitored data is sent when a user
exits operating the image forming device. One example set forth in the present specification
is that the user can click on or touch an exit function (discussed further below). Applicants
respectfully submit it would be clear to one of ordinary skill in the art how a user could exit
an image forming device, and that such would result in sending a log of monitoring data.

The outstanding rejection also appears to indicate the specification does not clearly set
forth such an operation. Applicants traverse that position. The specification in describing
Figure 14 specifically states:

> One operation is to send the monitored usage data by the
> sending block 520 after every time the user exits the target
> application 505. For example, if the target application is a
> software that the user is running, every time that the user clicks
> on or touches an exit function, the monitored and logged data is
> sent by the sending block 520.[1]

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[1] Specification at page 23, lines 4-8.

As also discussed in the present specification, the present invention is directed to monitoring the usage of a target application of an application unit by a user, and an application unit can be, for example, an image forming device and a target application may be the software running on the image forming device.[2]

From the above-discussed disclosures in the present specification, applicants respectfully submit it would have been clear to one of ordinary skill in the art that the features such as in claim 5 refer to the user exiting operating an image forming device.

Applicants also submit it would be clear that the phrase "operating the image forming device" would clearly have been understood to a way in which a user typically operations an image forming device, for example forming copies, performing a scanning, etc.

Thereby, the claims are believed to be proper under 35 U.S.C. §112, second paragraph.

Addressing now the rejection of the claims under 35 U.S.C. §103(a) as unpatentable over <u>Wygodny</u> in view of <u>Aikens</u>, that rejection is traversed by the present response.

Applicants respectfully submit the outstanding rejection is not fully considering the claimed features. Specifically, independent claim 1 positively recites:

> a monitoring unit configured to monitor data of selecting of the plurality of operations of the operation panel by the user, and to generate a log of the monitored data in one of multiple formats, *wherein the multiple formats include at least one of a time stamp including a time of selecting of the plurality of operations of the operation panel or a frequency of selection of the plurality of operations of the operation panel*[.] [Emphasis added]

The other independent claims recite similar features.

According to features recited in the claims, a monitoring unit monitors the selecting of operations on an operation panel by a user, generates a log of such monitored data, and communicates data based on that log of the monitored data. With such claimed structures

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[2] See for example the specification at page 17, line 19 *et seq.*

and operations, which operations a user selects on an operation panel of an image forming

device can be monitored and then logged. Such an operation allows monitoring of exactly

how a user utilizes an operation panel of an image forming device, i.e., what buttons and in

what order the buttons on an image forming apparatus operation panel are pressed by a user is

monitored. With such monitored data it can then be evaluated and determined how a user

utilizes an operation panel of an image forming device, so that that operation panel can then

be improved.

First, applicants note Wygodny is directed to a significantly different device than as

claimed. Wygodny is directed to monitoring execution paths of a software system, which is

referred to as a client (see for example the Abstract of Wygodny). Thus, Wygodny merely

monitors how a software program is being executed. To achieve that result in Wygodny the

system operates to debug a program by installing three components, referred to as a Bug

Trapper agent, a trace control information (TCI) file, and a target application in client

computer.

In contrast to Wygodny, the claims are directed to selecting operations on an

operation panel of an image forming device selected by a user. Wygodny is not directed to

any similar device. In that respect applicants submit the teachings in Wygodny are not at all

relevant to the claimed invention.

With respect to the above-noted feature of the "monitoring unit" the outstanding

rejection cites Wygodny at column 5, lines 12-23; column 6, lines 3-11; column 19, lines 42-

60; and column 20, lines 53-56.[3]

In reply to that grounds for rejection applicants submit those disclosures in Wygodny

do not meet the claimed features. More specifically, none of the noted disclosures in

Wygodny discloses the two specific formats of the log of the monitored data recited in the

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[3] Office Action of April 10, 2007, top of page 4.

claims, namely a (1) first format that includes a time stamp including a time of selecting the plurality of operations of the operation panel, and (2) a second format including a frequency of selection of the plurality of operations of the operation panel. Wygodny simply does not disclose or suggest such features at any of the cited disclosures as now even discussed further.

At column 5, lines 12-23 Wygodny merely broadly discloses the Bug Trapper being provided in two modes, a remote mode and an online mode. However, the remote mode and the online mode in Wygodny do not correspond to the noted multiple formats. Specifically, Wygodny does not disclose the remote and online modes including (1) a time stamp including a time of selection of the plurality of operations of the operation panel or (2) a frequency of selection of the plurality of operations of the operation panel. Thereby, the disclosure of those two modes in Wygodny does not correspond to the claimed features.

At column 6, lines 3-11 Wygodny merely provides details of a TCI file and trace data. However, that disclosure also is not all directed to the different mode formats noted above.

At column 19, lines 42-60 Wygodny provides details of the online tracing, but Wygodny does not disclose or suggest such a format including either of the noted multiple formats above of (1) including at least one of a time stamp including a time of selecting of the plurality of operations of the operation panel, or (2) including a frequency of selection of the plurality of operations of the operation panel.

Further, at noted column 20, lines 53-56 Wygodny merely discloses that a trace detailed pane 316 can show time stamps. Wygodny does not, however, disclose that feature is directed to one of multiple formats, and Wygodny does not disclose including such features in a log of monitored data. Thereby, that disclosure in Wygodny also does not correspond to the claimed features.

In such ways the basis for the rejection relying on <u>Wygodny</u> is traversed as <u>Wygodny</u> does not disclose or suggest the above-noted features of the multiple formats.

Moreover, the outstanding Office Action recognizes that <u>Wygodny</u> "fails to specifically teach monitoring selections of operations of an operation panel", and to cure those deficiencies in <u>Wygodny</u> the outstanding rejection cites <u>Aikens</u>.[4]

In reply to that basis for the rejection applicants respectfully submit <u>Aikens</u> also does not disclose or suggest the claimed features, and thus does not cure the deficiencies in <u>Wygodny</u>. That is, <u>Aikens</u> also does not disclose or suggest monitoring selecting of operations on an operation panel of an image forming device by a user.

<u>Aikens</u> is directed to a method of automatic notification of selected remote devices in response to machine conditions detected by a machine monitoring element including display machine condition options for selection of predetermined machine conditions for automatic notification to remote stations.[5] With respect to the above-noted claim limitation of monitoring selections of a user on an operation panel of an image forming device, the outstanding rejections cited <u>Aikens</u> at column 2, lines 25-40. That portion is merely the broad "Summary Of The Invention" section in <u>Aikens</u>, which simply does not indicate that <u>Aikens</u> disclose monitoring data of selection of a plurality of operations of an operation panel. <u>Aikens</u> discloses detecting machine conditions for automatic notification to remote stations, but at no point does <u>Aikens</u> disclose or suggest monitoring what buttons a user presses on an operation panel of an image forming device. Thereby, <u>Aikens</u> clearly cannot cure the recognized deficiencies in <u>Wygodny</u>.

One further basis for maintaining the rejection with respect to the above-noted features is that "Aikens teaches monitoring interface buttons [col. 4 lines 15-26, 51-68]".[6]

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[4] Office Action of April 10, 2007, prenumbered paragraph 8 on page 4.
[5] See <u>Aikens</u> in the Abstract.
[6] Office Action of April 10, 2007, page 2, prenumbered paragraph 3.

Applicants traverse that further basis for the rejection. Specifically, at column 4, lines 15-26 Aikens merely indicates the standard use of an interface 36. In that portion Aikens does not disclose or suggest any monitoring of the selections therein by a user.

At column 4, lines 51-68 Aikens states:

> Referring to FIG. 3, certain key machine operating events (such as current event data) which define the proper execution of the control system such as user interface buttons being set, changes in application software operating states, interlock switches opening and closing, notification of control or system faults, execution of key routines, etc., are input as they occur by the applications system software 150 under control of processor 196 to dynamic memory (RAM) 155.[7]

Applicants submit that disclosure in Aikens is also not directed to the claimed features. Aikens above discloses storing data of key machine operating events "such as user interface buttons being set". However, Aikens does not indicate that such a setting corresponds to a user selecting a button. In fact it appears to be the opposite as the noted disclosure in Aikens is directed to software operations, and not to a user selections of operations on an operation panel. The outstanding rejection appears to be misunderstanding that disclosure in Aikens merely because Aikens refers to "user interface buttons". Aikens notes the monitoring is directed to "key machine operating events", none of which is directed to a user selecting operations on an operation panel. Thereby, applicants respectfully submit the outstanding rejection is misconstruing that noted disclosure in Aikens.

In view of the foregoing comments applicants respectfully submit that each of independent claims 1, 9, 17, and 25, and the claims dependent therefrom, distinguish over Wygodny in view of Aikens.

Moreover, applicants respectfully submit the dependent claims recite additional features that distinguish over the applied art, and that have not been fully considered in the Office Action, as now discussed in further detail below.

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[7] See Aikens specifically, at column 4, lines 53-61.

Dependent claims 33, 36, 39, and 42 recite setting "a number of sections of utilizing the operation panel to be executed by the user prior to communicating the data based on the log of the monitored data". Those features are believed to even further distinguish over the applied art.

With respect to that feature the outstanding Office Action cites Wygodny at column 6, lines 3-14; column 19, lines 17-22 and 55-60; and column 26, lines 30-40.[8]

In reply to that basis for the rejection applicants submit Wygodny does not disclose or suggest setting a number of sections of utilizing the operation panel prior to communicating the log of the monitored data.

At column 6, lines 3-14, Wygodny merely discloses the trace control information (TCI) file including instructions for a trace. At column 19, lines 17-22 and 54-60 Wygodny discloses writing trace data to a buffer and determining a size of each trace record. At column 26, lines 30-40 Wygodny disclose that the trace log file 122 contains information that reflects a time window ending with the writing of the log file.

In each instance noted above Wygodny does not disclose or even address the claim feature of setting a number of sessions of utilizing the operation panel to be executed by the user prior to communicating the log of the monitored data. The outstanding Office Action has not pointed to any disclosure in Wygodny that meets such claim limitations.

Thereby, dependent claims 33, 36, 39, and 42 clearly further distinguish over the applied art.

Dependent claims 34, 35, 36, 37, 38, 40, 41, 43, and 44 are also believed to recite additional features that further distinguish over the applied art.

In view of the present response applicants respectfully submit the claims as written are allowable over the applied art.
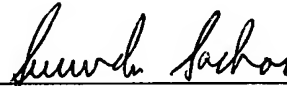
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[8] Office Action of April 10, 2007, prenumbered paragraph 9.

As no other issues are pending in this application, it is respectfully submitted that the

present application is now in condition for allowance, and it is hereby respectfully requested

that this case be passed to issue.

Respectfully submitted,

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